

**IN THE UNITED STATES DISTRICT
COURT FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA**

THE TRUSTEES OF PURDUE
UNIVERSITY,
Plaintiff,

vs.

WOLFSPEED, INC.

Defendant.

Civil Action No: 1:21-cv-840

Jury Trial Demanded

**DECLARATION OF RICHARD W. ERWINE IN SUPPORT OF DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS AND NO
WILLFUL INFRINGEMENT**

I, Richard W. Erwine, declare as follows:

1. I am a member in good standing of the bar of the State of New York and have been admitted to appear in this action *pro hac vice*. I am a partner at the firm of Quinn Emanuel Urquhart & Sullivan LLP, and I am counsel for Defendant Wolfsped Inc. ("Wolfsped") in this action. In that capacity, I have personal knowledge of the facts stated below.

2. Attached hereto as **Exhibit 1** is a true and correct copy of U.S. Patent No. 7,498,633.

3. Attached hereto as **Exhibit 2** is a true and correct excerpt of the Opening Expert Report of Dr. T. Paul Chow, dated June 17, 2024.

4. Attached hereto as **Exhibit 3** is a true and correct excerpt of the Rebuttal Expert Report of Dr. Ginger Turner, dated July 19, 2024.

5. Attached hereto as **Exhibit 4** is a true and correct excerpt of the Reply Expert

Report of Drs. Ginger Turner and Stanley Shanfield, dated August 2, 2024.

6. Attached hereto as **Exhibit 5** is a true and correct excerpt of the deposition transcript of Dr. Stanley Shanfield, dated August 22, 2024.

7. Attached hereto as **Exhibit 6** is a true and correct excerpt of the deposition transcript of Dr. James Cooper, dated August 22, 2024.

8. Attached hereto as **Exhibit 7** is a true and correct excerpt of the Opening Expert Report of Dr. Stanley Shanfield, dated June 17, 2024.

9. Attached hereto as **Exhibit 8** is a true and correct copy of Exhibit D of the Opening Expert Report of Dr. Stanley Shanfield, dated June 17, 2024.

10. Attached hereto as **Exhibit 9** is a true and correct excerpt of the deposition transcript of Dr. Sei-Hyung Ryu, dated August 21, 2024.

11. Attached hereto as **Exhibit 10** is a true and correct excerpt of the deposition transcript of Dr. Brett Hull, dated May 16, 2024.

12. Attached hereto as **Exhibit 11** is a true and correct copy of Purdue's Sixth Amended Preliminary Infringement Contentions, dated June 17, 2024.

13. Attached hereto as **Exhibit 12** is a true and correct copy of the April 19, 2021 letter from B. Beier, produced at PU-WLFSPD00067567.

14. Attached hereto as **Exhibit 13** is a true and correct copy of an email chain dated June 10, 2021, produced at PU-WLFSPD00000538.

15. Attached hereto as **Exhibit 14** is a true and correct copy of the Mutual Confidentiality Agreement and Limited Mutual Covenant Not to Sue, produced at PU-WLFSPD00000612.

16. Attached hereto as **Exhibit 15** is a true and correct copy of the claim chart produced at PU-WLFSPD00000866.

17. Attached hereto as **Exhibit 16** is a true and correct copy of the claim chart produced at PU-WLFSPD00000914.

18. Attached hereto as **Exhibit 17** is a true and correct copy of the claim chart

produced at PU-WLFSPD00001128.

19. Attached hereto as **Exhibit 18** is a true and correct copy of an email chain dated September 1, 2021, produced at PU-WLFSPD00001741.

20. Attached hereto as **Exhibit 19** is a true and correct excerpt of the deposition transcript of Dr. James Cooper, dated January 12, 2024.

21. Attached hereto as **Exhibit 20** is a true and correct excerpt of the Opening Expert Report of Stephen Holzen, dated June 17, 2024.

22. Attached hereto as **Exhibit 21** is a true and correct excerpt of the Reply Expert Report of Dr. T. Paul Chow, dated August 2, 2024.

23. I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted on this 20th day of September 2024.

/s/ Richard W. Erwine

Richard W. Erwine